

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TAY d/b/a DONTAVIOUS  
SHERRODE SMITH,  
a/k/a “TAY TAY,” “DA MAYOR,”

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

Case No. C14-35-RAJ

ORDER DENYING PLAINTIFF’S  
APPLICATION TO PROCEED *IN*  
*FORMA PAUPERIS* AND GRANTING  
LEAVE TO AMEND

Plaintiff, proceeding *pro se*, has filed an application to proceed *in forma pauperis* (“IFP”) in the above-entitled action, Dkt. 1, along with a proposed complaint. Dkt. 1, Att. 1. After careful consideration of the application, proposed complaint, the governing law and the balance of the record, the Court ORDERS as follows:

(1) Plaintiff’s application to proceed IFP, Dkt. 1, is DENIED. Plaintiff’s application is deficient as he failed to sign the affidavit or consent for payment of costs form, but instead digitally signed these documents by typing his name on the signature lines. The U.S. District Court’s Electronic Filing Procedures for Civil and Criminal Cases do not permit a

1 *pro se* party who has not entered into an electronic filing agreement with the Court to use an  
2 electronic signature to sign an electronic document. Plaintiff has not entered into an electronic  
3 filing agreement which would authorize him to use an electronic signature in this case, and  
4 therefore his IFP application and consent for payment of costs form have not been properly  
5 executed.

6 Plaintiff is GRANTED LEAVE TO AMEND, and shall have **30 days** from the date of  
7 this Order to correct this deficiency. Plaintiff is advised that this case may be subject to  
8 dismissal if he does not respond to this Order or fails to correct this deficiency.

9 (2) The Clerk is directed to send plaintiff a new IFP application, along with a copy  
10 of this Order. The Clerk is further directed to send a copy of this Order to the Honorable  
11 Richard A. Jones.

12 DATED this 15th day of January, 2014.

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14 JAMES P. DONOHUE  
15 United States Magistrate Judge  
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